

Please date stamp and return to addressee.

APPLICANT: DEAN ENGELHARDT ET AL.	<input checked="" type="checkbox"/> Express Mail Label No. GB743016175
TITLE: PHOSPHATE-MOIETY LABELED DETECTABLE NUCLEOTIDES	<input type="checkbox"/> First Class Mailing Date
DATE MAILED: APRIL 9, 1993	
ENCLOSED ARE:	
<input type="checkbox"/> Application <input type="checkbox"/> Response to OA <input type="checkbox"/> Declaration <input type="checkbox"/> Amendment <input type="checkbox"/> Drawings <input type="checkbox"/> Issue Fee <input type="checkbox"/> Assignment <input checked="" type="checkbox"/> Other (see below)	
<input checked="" type="checkbox"/> REQUEST FOR A CONTINUATION APPLICATION UNDER 37 C.F.R. SI.60	
<input checked="" type="checkbox"/> PRELIMINARY AMENDMENT	
<input type="checkbox"/> _____	
Serial No. _____	
Docket No. ENZ-5 (D6)(C1)	

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<input type="checkbox"/> _____	
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Docket No. ENZ-5 (D6)(C1)	

08 046004

10

MAIL ROOM APR 9 1993 PAT. & TRADEMARK OFFICE

# POST OFFICE TO ADDRESSEE

**EXPRESS MAIL**  
**NEXT DAY SERVICE®**

6B743016175US

ORIGIN	Date In:	Postage
Post Office ZIP Code 100-2	Time 6:33 A.M. 3/3/90	Return \$ 1.50
Initials of Receiving Clerk JH	Weight 1/4 oz.	C.O.D. \$
ACCEPTANCE	lbs.	FEES
<input type="checkbox"/> International <input checked="" type="checkbox"/> Domestic Code		
<input type="checkbox"/> Next Day Delivery, or <input type="checkbox"/> By 12 Noon	<input type="checkbox"/> Second Day Delivery	Total Postage & Fees
<input type="checkbox"/> Military <input type="checkbox"/> 2nd Day	<input type="checkbox"/> 3:00 P.M. <input type="checkbox"/> Military Day	

Express Mail Corporate Account No.:  
Federal Agency Account No.:

NY F.D.R. RECEIVED APR 6 1990  
U.S. POSTAL SERVICE

FROM:

RONALD C. PEDUS, RSQ.  
ENZO BIOCHIA, INC.  
575 FIFTH AVENUE (18TH FLOOR)  
NEW YORK, NEW YORK 10017

ENR 2-5 (D6) (C1)

Label 11-B (April 1990)

**TO:**  
**F.D.R. CUSTOMER RECEIPT**

Waiver of  
Signature  
and Indemnity  
(Domestic Only)

I wish delivery to be made without obtaining the signature of the addressee or  
the addressee's agent (if in the judgement of the delivery employee, the  
article can be left in a secure location) and I authorize the delivery employee  
to sign that the shipment was delivered and understand that the signature of  
the delivery employee will constitute valid proof of delivery

SIGNED: \_\_\_\_\_

COMMISSIONER OF PATENTS  
AND TRADEMARKS  
WASHINGTON, D.C. 20231

Thank You For Using Express Mail Service

Date Mailed: Initials:  
Label 11-B (April 1990)

Claims:  

- Claims for delay, loss, damage or filing must be made within 90 days.
- Claims for delay, loss, damage or filing must be obtained and filed at any post office.
- The Customer Receipt must be presented when a claim is filed.

U.S.G.P.O. 1991-286-575

EXPRESS MAIL NEXT DAY SERVICE®

**POST OFFICE TO ADDRESSEE**

**EXPRESS MAIL**  
**NEXT DAY SERVICE®**



GB743016175US

ORIGIN	Date For	Postage
Post Office	Time In	A.M.
ZIP Code		PM
Initials of Receiving Clerk	Weight	Per Item \$
	oz	1.50
ACCEPTANCE		
Signature or Initials _____		
Next Day Service or Second Day Service	Third Day Service	Postal
Business Day or 3:00 P.M.***	Postage	Delivery
10 AM or 1 P.M.	1 P.M.	1 P.M.
Express Mail Corporate Account No.:	Federal Agency Account No.:	

**FROM:**

RONALD C. FEDUS, ESQ.  
ENZO BIOCHEM, INC.  
575 FIFTH AVENUE (18TH FLOOR)  
NEW YORK, NEW YORK 10017

ENZ-5 (D6) (C1)

DESTINATION	Date of Delivery	Time of Delivery
X Signature of Addressee or Agent		
DELIVERY WAS ATTEMPTED	1 P.M.	1 P.M.
Signature of Delivery Employee		
<b>Waiver of Signature and Indemnity (Domestic Only)</b>	I wish delivery to be made without obtaining the signature of the addressee or the addressee's agent (if in the judgement of the delivery employee, the article can be left in a secure location) and I authorize the delivery employee to sign that the shipment was delivered and understand that the signature of the delivery employee will constitute valid proof of delivery	
SIGNED		

**MAILING LABEL-Service Analysis & Proof of Delivery**

**TO:**

Telephone Number: \_\_\_\_\_

COMMISSIONER OF PATENTS  
AND TRADEMARKS  
WASHINGTON, D.C. 20231

For Customer Use

Label 11-B (April 1990)

**Press Hard. You Are Making 4 Copies**

**Remove The Backing Sheet To Expose Adhesive Before Applying The Label To Your Package**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification  
of this Application:  
Class \_\_\_\_\_ Subclass \_\_\_\_\_

Prior Application:  
Exam'r: (Dr.) John W. Rollins  
Group Art Unit: 1803

Attorney's  
Docket No.:  
Enz-5(D6)(C1)

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231  
BOX FWC (if under §1.62)  
Sir:

This is a request for filing a X CONTINUATION        DIVISIONAL  
       CONTINUATION-IN-PART application under X 37 CFR §1.60  
       37 CFR §1.62, of pending prior application Serial No. 07/532,461  
filed on May 31, 1990 of Dean Engelhardt et al. for  
Inventor(s)

PHOSPHATE-MOIETY LABELED DETECTABLE NUCLEOTIDES  
(As Amended)

Title of Invention

1. X Enclosed is a copy of the prior application, as originally filed and an affidavit or declaration verifying it as a true copy.
2.        A verified statement to establish small entity status under 37 CFR §1.9 and §1.27 is enclosed.
3. X The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

						RATE		FEE
	Number Filed		Number Extra		Small Entity	Other Entity	Small Entity	Other Entity
Total Claims	1	=	0	x	\$ 11	\$ 22	=	\$ 0
Independent Claims	1-3	=	0	x	\$ 37	\$ 74	=	\$ 0
Multiple Dependent Claims Presented:	Yes <u>X</u> No				\$ 115	\$ 230	=	\$ 0
* If the difference in Col. 1 is less than zero, enter "0" in Col. 2						BASIC FEE	\$ 355	\$ 710
						TOTAL FEE	\$ -	\$ 710

4. X The Commissioner is hereby authorized to charge payment of the filing fee as well as the following fees associated with this application or to credit any overpayment to Deposit Account No. 05-1135.  
A duplicate copy of this sheet is enclosed.
- X Any additional filing fees required under 37 CFR §1.16.
- X Any patent application processing fees under 37 CFR §1.17.

Enz-5(D6)(C1)

EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No. <u>GB743016175</u>	
Deposit Date	<u>APRIL 9, 1993</u>
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231.	
<u>Ronald C. Fedus</u> <u>APRIL 9, 1993</u>	
Ronald C. Fedus	

Dean Engelhardt et al.  
Serial No.: Not Yet Assigned  
Filed: Herewith  
Page 2 (Request For a Continuation Application Under 37 C.F.R. §1.60  
- April 9, 1993)

5.  The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 05-1135. A duplicate copy of this sheet is enclosed.

Any patent application processing fees under 37 CFR §1.17.

The issue fee set in 37 CFR §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR §1.311(b).

Any filing fees under 37 CFR §1.16 for presentation of extra claims.

6.  A check in the amount of \$\_\_\_\_\_ is enclosed.

7.  Cancel claims 2-203.

8.  Amend the specification by inserting before the first line the sentence: --This is a  continuation,  divisional  continuation-in-part, of application Serial No. 07/532,461, filed on May 31, 1990, which is a division of Serial No. 07/140,980, filed on January 5, 1988, which in turn is a continuation of Serial No. 06/674,352, filed on November 21, 1984, abandoned, which, in turn, is a continuation of Serial No. 06/391,440, filed on June 23, 1982, also abandoned.--

9.  Transfer the drawings from the prior application.

10.  Informal  Formal  drawings are enclosed.

11.  Abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.

12.  Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ is claimed under 35 U.S.C. §119. The certified copy of the priority application has been filed in prior application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.

13.  The prior application is assigned of record to Enzo Diagnostics, Inc. [A copy of the Assignment and the Notice of Recordation are attached.]

14.  A preliminary amendment is enclosed.

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Filed: Herewith  
Page 3 (Request For a Continuation Application Under 37 C.F.R. §1.60  
- April 9, 1993)

15.  The substitute power of attorney in the prior application is to: Ronald C. Fedus, Reg. No. 32,567.

- (a)  The power appears in the original papers in the prior application.
- (b)  Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c)  Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

Ronald C. Fedus, Esq.  
Enzo Biochem, Inc.  
575 Fifth Avenue (18th Floor)  
New York, New York 10017

16.  Also enclosed is a copy of the Request For an Extension of Time (3 months) and Change of Correspondence Address Request filed concurrently in the parent application.  
Serial No. 07/532,461.

17.  I hereby verify that the attached papers are a true copy of prior application Serial No. 07/532,461 as originally filed on May 31, 1990.

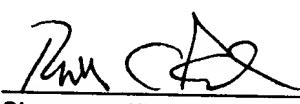
18.  The parent application (Serial No. 07/532,461) is copending with the filing of this new application. On November 9, 1992, Applicants filed a Notice of Appeal concurrently with a Request for an Extension of Time (an additional 3rd month). Thus, the original deadline (without extension) for filing a Brief in Support of the Appeal in this application was January 9, 1993. A Request For An Extension of Time (three months) has been filed by Express Mail in the parent application (concurrently with this new application request). A copy of the three-month extension of time for filing the Brief in the parent application is attached to this paper.

Dean Engelhardt et al.  
Serial No.: Not Yet Assigned  
Filed: Herewith  
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The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

APRIL 9, 1993

Date



Signature [Ronald C. Fedus]

Inventor(s)  
 Assignee of Complete Interest  
 Attorney or Agent of Record  
 Filed under 37 CFR §1.34(a)

Address of Signator:

ENZO DIAGNOSTICS INC.  
c/o Enzo Biochem, Inc.  
575 Fifth Avenue (18th Floor)  
New York, New York 10017

Enz-5(D6)(C1)

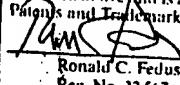
**Application  
for  
United States Letters Patent**

**To all whom it may concern:**

**Be it known that** *Dean Engelhardt, Elazar Rabbani, Stanley Kline*  
*JANIS*  
*James G. Stavrianopoulos and Dollie Kirtikar*

**have invented certain new and useful improvements in**  
**MODIFIED NUCLEOTIDES, METHODS OF PREPARING AND UTILIZING**  
**AND COMPOSITIONS CONTAINING THE SAME**

**of which the following is a full, clear and exact description.**

<b>EXPRESS MAIL CERTIFICATE</b>	
<b>"Express Mail" Label No. <u>GB743016175</u></b>	
<b>Deposit Date</b>	<u>APRIL 9, 1993</u>
<b>I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231</b>	
 <u>RONALD C. FEDUS</u> <b>Ronald C. Fedus</b> <b>Reg. No. 32,567</b>	
<u>APRIL 9, 1993</u> <b>Date</b>	